

REMARKS

The Office Action dated November 6, 2008, (“Office Action”), has been received and carefully considered. Claims 1-3, 7, 8, 12-14, 16, 21-24, 28-30, 35, and 53-58 are pending in the application. By this response, claim 14 is amended and claims 56-58 are added. Claims 4-6, 9-11, 15, 17-20, 25-27, and 31-34, previously withdrawn, are now canceled without prejudice or disclaimer to the subject matter set forth therein, with claims 36-52 previously canceled without prejudice or disclaimer to the subject matter set forth therein.

No new matter has been introduced by this response, as support for the claim amendments can be found in the present application in paragraphs [0052] – [0057] and in the drawings, for example. The claims are added to further clarify Applicants’ claimed invention. Claim 14 is amended to correct a minor deficiency.

Applicants note that claims 35 and 53-55 appear to be omitted from the pending claim listing of the “Office Action Summary” (Item (4)).

Applicants again respectfully request confirmation that claims 35 and 53 are under examination, as well as the **status of such claims**.

Applicants respectfully request reconsideration and allowance of the pending claims in view of the following remarks.

The Allowed Subject Matter

Applicants note with appreciation the indication on page 4 of the Office Action that claims 54 and 55 have been allowed. Applicants note with equal appreciation the indication on page 5 of the Office Action that claims 3 and 23 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The 35 U.S.C. §103 Rejection Based on Bennett In View of Hanby

In the Office Action, claims 1, 2, 7, 8 12-14, 16, 21, 22, 24, and 28-30 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent 7,117,170 to Bennett *et al.* (“Bennett”) in view of U.S. Patent 7,143,051 to Hanby *et al.* (“Hanby”). The Office Action has been fully considered. Applicants respectfully traverse this rejection for at least the following reasons.¹

Under 35 U.S.C. § 103, the Patent Office bears the burden of establishing a prima facie case of obviousness. *In re Fine*, 837 F.2d 1071, 1074 (Fed. Cir. 1988). There are four separate factual inquiries to consider in making an obviousness determination: (1) the scope and content of the prior art; (2) the level of ordinary skill in the field of the invention; (3) the differences between the claimed invention and the prior art; and (4) the existence of any objective evidence, or “secondary considerations,” of non-obviousness. *Graham v. John Deere Co.*, 383 U.S. 1, 17-18 (1966); see also *KSR Int’l Co. v. Teleflex Inc.*, 127 S. Ct. 1727 (2007). An “expansive and flexible approach” should be applied when determining obviousness based on a combination of prior art references. *KSR*, 127 S. Ct. at 1739. However, a claimed invention combining multiple known elements is not rendered obvious simply because each element was known independently in the prior art. *Id.* at 1741. Rather, there must still be some “reason that would have prompted” a person of ordinary skill in the art to combine the elements in the specific way that he or she did. *Id.*; *In re Icon Health & Fitness, Inc.*, 496 F.3d 1374, 1380 (Fed. Cir. 2007). Also,

¹ Clarification of the disposition of claims 35 and 53 is requested.

modification of a prior art reference may be obvious only if there exists a reason that would have prompted a person of ordinary skill to make the change. KSR, 127 S. Ct. at 1740-41.

First and foremost, Applicants respectfully submit that the Office Action fails to address every recitation of independent claims 1 and 21. Specifically, Applicants submit that the Office Action fails to address “accessing at least one web page of a broker by inputting a broker network address,” as recited in independent claims 1 and 21. Applicants respectfully submit that in order to establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations, or provide sufficient motivation to modify the references to arrive at the claimed invention. *See* M.P.E.P. § 2142 *et seq.* Thus, Applicants respectfully submit that the Office Action should be withdrawn for the at least above stated reason and a new office action is respectfully requested.

Moreover, should the Examiner maintain the rejection, Applicants respectfully submit that a prima facie case of obviousness has not been established because the applied references fail to teach or suggest “accessing broker information, at the supplier, **using the broker network address** to retrieve broker information from a broker information database,” as is recited in amended claim 1. (emphasis added). Nowhere does Bennett disclose, or suggests, a relationship in which a user inputs a broker network address to access a broker web page, and **that same broker network address** is subsequently sent to and used by a supplier to retrieve broker information from a broker information database. Claim 1 recites such a relationship, and Applicants respectfully submit that Bennett fails to teach or suggest such claimed relationship of the broker network address.

It appears that the Office Action interprets that the shipping locations of Bennett as the “broker,” recited in claim 1. Bennett discloses that the “there are two types of shipping

locations, ship centers and customer drop offs. Ship centers are those locations which refer to a database to specific locations, from which a specific location from the available locations must be selected to determine rates, such as an “iShip Center.” Customer drop offs are those shipping locations from which a specific location need not be selected to determine rates, such as a “drop box,” “carrier counter,” or “call for pickup.” *See*, column 20, lines 6-13. Therefore, Applicants respectfully submit that the shipping locations of Bennett are merely shipping centers and customer drop offs and Bennett fails to disclose, or even suggest, the shipping locations having “a broker network address,” as recited in claim 1. Applicants respectfully submit that, at best, Bennett discloses in Figure 5, that a shipper using the Carrier’s Internet URL, makes an HTTP (HyperText Transfer Protocol) connection over the Internet 15 to the Carrier’s web server, e.g., 23-2, 24-2, 25-2, 26-2, or 27-2, using the **URL information for the particular Carrier’s web server**. *See*, column 11, lines 39-45. (Emphasis added). Therefore, Applicants respectfully submit that Bennett at best, discloses the URL information for the particular Carrier’s web server and fails to disclose, or even suggest, “accessing at least one web page of a broker by inputting a broker network address,” as recited in claim 1.

The Office Action states that Bennett discloses various features of the claimed invention, but it does not address how Bennett discloses using a broker network address, e.g. a URL, to access broker information from **a database of the supplier**. (Emphasis added). The Office Action explains that Bennett teaches a “user us[ing] the computer of the broker to get the nearest shipping location based on an **e-mail address**.” *See* Action, p.2, item 3. Further, the Office Action explains that the “shipping center data defaults to preset origin zip code locations **based on e-mail address recognized at log on**.” *See* Action, p. 2, item 4. Applicants interpret this section of Bennett to mean that a user with an existing account on the system can subsequently

log into his or her account using a registered e-mail address. Once the user logs on, the system defaults to the user's preferences, which were inputted by the user upon first registering in the system and tied to the user's e-mail address. Absent from this section of Bennett, however, is any discussion of a user inputting a broker network address, e.g. a URL.

Said another way, the system disclosed in Bennett is capable of accessing user-specific information by recognizing a user's e-mail address, which is tied to an account. As to the nature of claim 1 of the present application, however, claim 1 does not require a user to log into a system so that the logon information, e.g. an account number, can be used to access specified preferences; does not require a user to have previously registered with the system to create an account; and does not require the user to enter an e-mail address to retrieve default information specific to that user. Unlike the disclosure of Bennett, claim 1 recites a user accessing a broker's web page by inputting **a broker network address**. A request for information is then sent from the broker's network address to a supplier. The supplier then accesses broker information using the broker's network address from which the request was sent. Bennett does not describe using a network address, and it requires an additional step of logging into a user-specific account. Applicants submit that Bennett cannot be fairly interpreted as teaching or suggesting the method of claim 1.

Applicants understand that the Office Action and the 35 U.S.C. 103 rejection relies collectively on the teachings of Bennett and Hanby. The Office Action asserts that Bennett discloses the invention as set forth above but fails to disclose an insurance based inquiry system, and thus does not disclose accessing state related information that includes at least one of the users state of residence and the state in which the broker is licensed and generating the sales-related data based on the received request-related information based on the state related

information. The Office Action reflects, however, Hanby does disclose an internet based insurance sales method/system wherein the quote engine requires rules to effect the desired quote. The Office Action further asserts that it would be obvious to modify Bennett to include the internet based insurance purchasing application taught by Hanby, the motivation being the rapidity of ordering before rate changes occur.

Thus, the Office Action relies on the particulars of Hanby for internet based insurance quote engine rules regarding state related information. However, even if Bennett was so modified (which is not admitted to be obvious), Hanby fails to cure the deficiencies of the teachings of Bennett, as discussed above. In particular, Hanby fails to disclose the particulars relating to the manipulation of the broker network address, as discussed above.

Accordingly, Applicants respectfully submit that claim 1 defines patentable subject matter for at least the reasons set forth above. Further, Applicants respectfully submit that independent claim 21 defines patentable subject matter for reasons similar to those set forth with respect to claim 1. The various dependent claims define patentable subject matter based on their various dependencies on the independent claims, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

In view of the foregoing, Applicants respectfully submit that the aforementioned obviousness rejection of claims 1, 2, 7, 8, 12-14, 16, 21, 22, 24, 28-30, and 35 be withdrawn.

Newly Added Claims 56-58

Regarding newly added claims 56-58, Applicants respectfully submit that support for newly added claims 56-58 may be found at least in paragraphs [0052] – [0057], for example. Moreover, these claims recite additional features which are not disclosed, or suggested, by the cited references taken either alone or in combination. Accordingly, Applicants respectfully submit that the newly added claims 56-58 are allowable over .

Conclusion

In view of the foregoing amendments and arguments, Applicants respectfully submit that this application is in condition for allowance. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to the favorable disposition of the application.

It is believed that no fees are due for filing this Amendment. However, the Director is hereby authorized to treat any current or future reply, requiring a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. Applicants also authorize the Director to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees, to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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